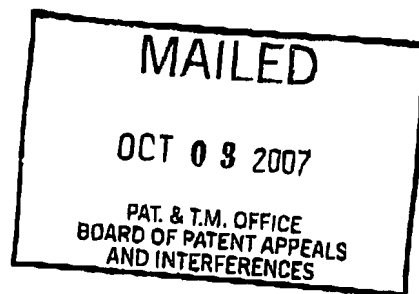


RECEIVED

OCT 05 2007

FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLPUNITED STATES PATENT AND TRADEMARK OFFICE
Board of Patent Appeals and InterferencesTZ/ACT/DWH
05925-0633FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001-4413

Appeal No: 2007-4218
 Appellant: David W. Cannell et al.
 Application No: 09/648,376
 Hearing Room: A
 Hearing Docket: A
 Hearing Date: Tuesday, November 06, 2007
 Hearing Time: 09:00 AM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above-identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED (X) HEARING ATTENDANCE WAIVED

David W. Cannell
Signature of Attorney/Agent/Appellant

10/22/07
Date

52211
Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/web/offices/dcom/ecom/counsel/contact.htm#bpa>

OK for
initials JDS



FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER
LLP

901 New York Avenue, NW ■ Washington, DC 20001-4413 ■ 202.408.4000 ■ Fax 202.408.4400
www.finnegan.com

FACSIMILE TRANSMITTAL

TO

Name: Board of Patent Appeals and Interferences Date: October 22, 2007
Company: USPTO Phone Number: 571-273-8300
Fax Number: 571-273-0299 Total Pages (including cover): 2
Subject: Notice of Hearing Confirmation Confirmation Copy to Follow: N
Appeal No. 2007-4218

FROM

Name: Deborah M. Herzfeld Verified by: SAL MD 707
Phone Number: 202-408-4368 Our File No.: 05725.0633-00

MESSAGE

Please see attached.

If there is a problem with this transmission, notify the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.